

certified with the Wisconsin Department of Natural Resources under Section NR544.16 of the Wisconsin Administrative Code.

29. **Fees for Service Recipients.** The Town Board of the Town of Rock shall establish fees for service recipients under the Town of Rock's Roadside Recycling and Refuse Collection Program for the payment of collection services for solid waste and recyclables. Fees shall be assessed on a per unit basis and be charged as a line item on taxes pursuant to Section 66.60(16) of the Wisconsin Statutes on a yearly basis.

30. **Ownership of Recyclables and Refuse.** Recyclable materials and refuse, upon placement at the roadside, shall remain the property and responsibility of the service recipient. Recyclable materials and solid waste, upon collection by any permitted hauler, shall become the property of the hauler.

31. **Additions and Exemptions to Recyclables.** The Town Board of the Town of Rock reserves the right to designate additional solid waste materials as recyclable or currently collected materials as no longer recyclables in accordance with state law and to either add or delete them from any collection services provided by the municipality or its haulers. The municipality shall provide written notice to its service recipients of this declaration.

32. **Collection Schedule.** The Town of Rock shall establish the time of collection of solid waste and recyclables for all service recipients under the Town of Rock's Roadside Recycling and Refuse Collection Program and the Town Clerk or the designated hauler shall provide written notice of the collection schedule to all service recipients at least once in the spring and fall of each year and at any time when the collection schedule is changed.

33. **Specified Containers.** All service recipients under the Town of Rock's Roadside Recycling and Refuse Collection Program shall comply with the following requirements:

- A. Solid waste shall be placed for collection in plastic bags and/or standard garbage cans, not to exceed 50 pounds per container or 30 gallons, and contained in a manner to avoid litter.
- B. Recyclables shall be placed in the approved recycling cart. If there is a greater amount of recyclables than can be contained in the designated cart, those excess materials shall be placed in an open paper bag or an open corrugated cardboard box and set out on top of or adjacent to the recycling cart, clearly separated from the non-recyclable solid waste.
- C. All solid waste and recyclables shall be placed as herein required at the specified collection point no sooner than 24 hours prior to the regularly scheduled collection time or be allowed to remain at the roadside longer than 12 hours thereafter.

34. **Placement of Recyclables and Solid Waste for Collection.** Except as otherwise specifically directed or authorized by the Town Board of the Town of Rock, all service recipients under the Town of Rock's Roadside Recycling and Refuse Collection

Program shall place solid waste and recycling at the mailbox adjacent to the premises owned or occupied by the person. Materials shall be placed out for collection according to the scheduled days established by the Town of Rock.

35. **Special Materials.** Service recipients under the Town of Rock's Roadside Recycling and Refuse Collection Program shall contact the designated hauler when they have couches and bulky items and arrangements for collections will be made. Small quantities of building materials (lumber, plaster board, etc.) from household remodeling or repair shall be accepted by the designated hauler if placed in standard garbage cans and if the weight per container does not exceed 50 pounds. All lumber must be cut in lengths not exceeding four feet. Loose building materials shall not be subject to collection by the designated hauler.

36. **Provide Space for Recycling.** A person in the Town of Rock owning or occupying a new building or a building that is remodeled or expand by 50% or more in floor area, shall provide a designated area for the separation, temporary storage and collection of solid waste and recyclables either within or adjacent to the building.

37. **Enforcement.**

- A. For the purpose of ascertaining compliance with the provisions of this ordinance, any authorized officer, employee or representative of the Town of Rock may inspect recyclable materials separated for recycling, post consumer waste intended for disposal, recycling collection sites and facilities, collection vehicles, collection areas of multi-family dwellings and non-residential facilities and properties, and any records related to recycling activities, which shall be kept confidential when necessary to protect proprietary information. No person may refuse access to any authorized officer, employee or authorized representative of the Town of Rock who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper or interfere with such an inspection.
- B. Any person who violates a provision of this ordinance may be issued a citation by the Building Inspector or any Town Board member of the Town of Rock to collect forfeitures. The issuance of a citation shall not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law relating to the same or any other matter shall not preclude the issuance of a citation under this paragraph.
- C. Penalties for violating this ordinance may be assessed as follows: .
 - (1) Any person who violates Section 18 of this ordinance may be required to forfeit \$50.00 for a first violation, \$200.00 for a second violation, and not more than \$2,000.00 for a third or subsequent violation.

- (2) Any person who violates a provision of this ordinance, except Section 18, may be required to forfeit not less than \$10.00 nor more than \$1,000.00 for each violation.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 14th day of March, 2019.

TOWN OF ROCK

By: Mark D. Gunn
Mark Gunn, Town Chairperson

By: Tony Dubanowich
Tony Dubanowich, Town Supervisor

By: Pete Parker
Pete Parker, Town Supervisor

SUMMARY OF ORDINANCE FOR PUBLICATION

Pursuant to Wis. Stat. § 60.80 (5), Notice is hereby given of the passage of Town of Rock Ordinance No. 19-0.3 by the Town Board on March 4, 2019. Said Ordinance is summarized as follows:

- 1- The Ordinance amends and fully restates the Town of Rock Mandatory Recycling Ordinance, Ordinance No. 93-1, governing the definition, separation, and care of Recyclable Materials.
- 2- The Ordinance establishes regulations governing:
 - a) which materials shall be considered recyclable and therefore must be separated from post consumer waste;
 - b) disposal of lead acid batteries, major appliances, waste oil and yard waste;
 - c) preparation of recyclable materials;
 - d) responsibilities of owners of multiple-family dwellings and non-residential facilities and properties;
 - e) licensing, permits, and restrictions of Haulers;
 - f) fees for service recipients in the Town of Rock;
 - g) enforcement, and fines for violation of the Ordinance.

The full text of the Ordinance may be obtained or viewed at no charge by contacting the Town Clerk, Deborah Bennett, 5102 S. County Road D, Afton, WI 53501, telephone number 608-362-0598, or via email at dbennett4185@hughes.net.

CERTIFICATION

I hereby certify that the above Ordinance Number 2019-03 was adopted by the Town Board of the Town of Rock on the 4th day of March, 2019, and that on the 5th day of March, 2019, copies of the above ordinance were posted by me in three places in the Town of Rock, Rock County, Wisconsin, as follows:

Afton Post Office
Rock Town Hall
BMO Harris Bank, Center Ave

Deborah Bennett
Deborah Bennett, Town Clerk/Treasurer
Town of Rock, Rock County, Wisconsin

Subscribed and sworn to before me this
_____ day of _____, 2019.

Notary Public, Rock County, Wisconsin
My Commission is permanent
or expires: _____